

ORDER NO. 3896

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Robert G. Taub, Chairman;
Mark Acton, Vice Chairman;
Tony Hammond; and
Nanci E. Langley

Grand Island Post Office
Grand Island, Nebraska

Docket No. A2017-1

NOTICE AND ORDER ACCEPTING APPEAL AND
ESTABLISHING PROCEDURAL SCHEDULE

(Issued May 11, 2017)

Notice is hereby given that, on May 9, 2017, the Commission posted a Petition for Review of the Postal Service's determination to consolidate the post office in downtown Grand Island, Nebraska, with a local mail processing facility.¹ The Petition was filed on behalf of the Hall County, Nebraska Board of Supervisors (Petitioner) by Pamela E. Lancaster, Chair of the Board.

The Commission hereby institutes a proceeding under 39 U.S.C. § 404(d)(5) and establishes Docket No. A2017-1 to consider the Petitioner's appeal. Petitioner may further explain its position with supplemental information or facts. Petitioner may file a

¹ See Petition for Review Received from Hall County Board of Supervisors Regarding the Grand Island, NE Post Office 68801, May 9, 2017 (Petition).

Participant Statement on PRC Form 61 or a brief with the Commission no later than June 12, 2017. See 39 C.F.R. § 3025.40-41; 39 C.F.R. § 3001.15.

Categories of issues raised. Petitioner contends that with regard to the Postal Service's decision to consolidate the downtown Grand Island Post Office with a local mail processing facility: (1) there is no evidence that a feasibility study was conducted to determine the effect of the consolidation on the community; (2) the decision was not preceded by 60 days' notice to persons served by the post office; and (3) the decision failed to notify persons served by the post office of their right to appeal to the Commission. See Petition. Petitioner requests that a postal substation be established to replace the main post office building in the downtown area of Grand Island.

After the Postal Service files the Administrative Record and the Commission reviews it, the Commission may find that there are more legal issues than those set forth above, or that the Postal Service's determination disposes of one or more of those issues. The deadline for the Postal Service to file the applicable Administrative Record with the Commission is May 22, 2017. See 39 C.F.R. § 3025.21; 39 C.F.R. § 3001.15. In addition, the due date for any Postal Service pleading in response to this Notice is May 22, 2017.

Availability; website posting. The Commission has posted the appeal on its website at <http://www.prc.gov>. Additional filings in this case and participants' submissions will also be posted on the website, if provided in electronic format or amenable to conversion, and not subject to a valid protective order. Information on how to use the Commission's website is available online. Questions can be directed to the Commission's docket section at dockets@prc.gov or via telephone at 202-789-6846.

The appeal and all related documents are also available for public inspection in the Commission's docket section. Docket section hours are 8:00 a.m. to 4:30 p.m., Eastern Time, Monday through Friday, except on Federal government holidays. Docket section personnel may be contacted via electronic mail at dockets@prc.gov or via telephone at 202-789-6846.

Filing of documents. All Postal Service filings in this case shall be made using the Internet (Filing Online) pursuant to Commission rules 9(a) and 10(a). See 39 C.F.R. §§ 3001.9(a) and 3001.10(a). Other participants may also use Filing Online. Instructions for obtaining an account to file documents online may be obtained on the Commission's website, <http://www.prc.gov>, or by contacting the Commission's docket section at dockets@prc.gov or via telephone at 202-789-6846.

The Commission reserves the right to redact personal information that may infringe on an individual's privacy rights from documents filed in this proceeding.

Participation by others. Persons other than Petitioner and the Postal Service wishing to be heard in this matter may submit comments. See 39 C.F.R. § 3025.14. Initial comments supporting a remand of this case are to be filed on or before June 12, 2017. This and other deadlines are set out in the attached Procedural Schedule. See 39 C.F.R. §§ 3025.41 through 3025.43; 39 C.F.R. § 3001.15.

Further procedures. By statute, the Commission is required to issue its decision within 120 days from the date it receives the appeal. See 39 U.S.C. § 404(d)(5). A Procedural Schedule has been developed to accommodate this statutory deadline. In the interest of expedition, the Commission may request the Postal Service or other participants to submit information or memoranda of law on any appropriate issue. **If any motions are filed by the Postal Service, responses are due 10 days after any such motion is filed.** See 39 C.F.R. § 3025.2(c).

It is ordered:

1. The Postal Service shall file the applicable Administrative Record regarding this appeal no later than May 22, 2017.
2. Any responsive pleading by the Postal Service to this Notice is due no later than May 22, 2017.
3. The Procedural Schedule listed below is hereby adopted.

4. Pursuant to 39 U.S.C. § 505, Samuel M. Poole is designated as officer of the Commission (Public Representative) to represent the interests of the general public.

By the Commission.

Stacy L. Ruble
Secretary

PROCEDURAL SCHEDULE

May 9, 2017	Filing of Appeal
May 22, 2017	Deadline for the Postal Service to file the applicable Administrative Record in this appeal (see 39 C.F.R. § 3025.21)
May 22, 2017	Deadline for the Postal Service to file any responsive pleading (see 39 C.F.R. § 3025.30(b))
June 12, 2017	Deadline for Petitioner's Form 61 or initial brief in support of the petition (see 39 C.F.R. § 3025.41)
June 26, 2017	Deadline for answering brief in support of the Postal Service (see 39 C.F.R. § 3025.42)
July 6, 2017	Deadline for reply briefs in response to answering briefs (see 39 C.F.R. § 3025.43)
September 7, 2017	Expiration of the Commission's 120-day decisional schedule (see 39 U.S.C. § 404(d)(5))